1947 A 9

File No. 8980/36-I.

P.W. DEPARTMENT

E BRANCH II

B CLASS

Subject:— Appointment —
Applications from Persons in Sind for in the Bibay Province

3(K) 1949

V

File No. 8980/36-I EB(II).

Std. Sectt. Slip 24-A

Std. Sectt. 78A e.

G R., G D., No 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET (B)

Subject :—

File No. 8980 | 36-I

P. W. DEPT.

E BRANCH. II

References :— ~~Main file is sent to Maharashtra~~

Copies from the Orignal file B [M]

Date.	To whom sent.	Notes and instructions.

Copy of decision.

It was decided at a meeting of H.Ms held on 1-10-47:

(a) that they should apply to Bombay Govt. for jobs:

(b) that they should be employed by this Govt. if found useful after an interview, and provided they have been in service in Sind before and should be given posts and emoluments according to their qualifications and experience:

(c) that they cannot claim and should not be given pensions for the services rendered in the Sind Province.

Sd. L.M.P.(til),
1-10-47.

H.M.P.W.D.

Forwarded to see P.W.D. for disposal according to orders already issued on the above lines

Sd/-

7-10-47

D/S Please show me.

-- -- -- --

We have been recently approached by a number of technical people evacuated from Sind, who have asked for jobs in the P.W.D. Some of these people are well-qualified and hold suitable jobs in that Province. The details of the application of one officer is placed below. who is an Assistant Engineer, Class I, in Sind selected by competition by the late Bombay-Sind Public Service Commission.

2. We are ourselves very short of technical personnel, specially in the S.D. Os' and overseers ' ranks and, to some extent, in the Ex: Engineers' Cadre.

We have separately submitted the case of such evacuees and suggested that, if the Govt. of Sind is prepared to contribute their proportionate leave and pensionary charges, we shall be prepared to take these people in the Department. This, however, may not be enough and I

(a) People belonging to this Province should be taken in the Cadre at the seniority of the year of their service. If Sind Govt. is aggreable to pay their proportionate leave and pensionary charhes, well and good, otherwise, we shall contribute these charges only from thedate they join this Province.

The appointment of such people should be considered only if either the Govt. of Sind is aggreable to the transfer or these officers first resign in Sind (copies to be sent to us), thus showing their bona fides.

(b) People not belonging to this Province but wanting to serve, should also be taken up but at thebottom of our list, their starting salary being , howeverm fixed according to their experience and qualifications.

DRN. 4-10-47-

H.M. P.W.D.

I agree to the proceduce in (a) as regards (b) the conditions of for pension or provident fund and for resignation from Sind before joining us are the same as in (a)

In both cases it would preferable that before they resign their appointments in Sind, They should be ~~in~~ pre interviewed at their own cost. by Sec. P.W.D. without any commitment on the part of the Govt.

If found suitable at the interviewed they may be taken up on these conditions provided they are physically fit.

Id/-

6.10.47

Pl. put up ~~in~~ all cases accordingly calling them for interview a circular ~~s~~and should also

~t to

all S.E. etc advising employment of refugees on

similar ~~being~~ basis in ~~there~~ their administration charges.

E.B. (I) AND (II). P. W. D.

Applications from Sind for posts in Bombay Province.

The decisions of Govt. at pp. 115 -118 ante provide that-

(a) Applicants from Sind should be employed under this Govt, if found useful after an interview, and provided they have been in service in Sind before;

(b) They should be given posts and salary according to their qualification and experience;

(c) They should not be given pension for their service in Sind, unless the Sind Govt. agrees to bear the proportionate leave and pensionary charges;

(d) Those belonging to this Province but settled in Sind should be taken in thecadre and given seniority therein on thebasis of their length of service in Sind.

(e) Their apptt. should be considered only, if the Sind Govt. agrees to their transfer ,or the applicants first resign their posts in Sind.

(f) those not belonging to this Province should be taken up at the bottom of the cadre, and their starting pay fixed according to their qualifications and experience.

2. With refce. to the above points, it may safely be assumed in proceeding further with this case that the Sind Govt. will <u>not</u> agree to the transfer of the applicants for service under this Govt., and will <u>not</u> consent to bear the proportionate leave and pension charges in respect of their service in Sind. In view of the present conditions in Sind and the future prospects, it may also be definitely assumed that the applicants, who have left or are keen to leave Sind at the earliest possible date, will accept posts here under any conditions that may be proposed by this Govt. <u>Vide</u>, in this connection, the

The Sind Govt, I understand, is proposed to exchange but not allow opting out. We have not such "Exchange"

I think so

Chief Secy's noteated the 30-9-1947 within. The following remarks are offered withrefce: to the above points:

(i) There will be no difficulty in interviewing those who have already left sind. It will, however, be not soeasy for those remaining in Sind to come over here at their own cost (particularly in the case of subordinates) simply for an interview without any certainty that they will get posts here, and without this certainty they cannot resign their posts in Sind . If they once leave Sind, they must quite if for good.

maybe accepted without interviews of the S.E. can accomdate.

(ii) Unless there are any sanctioned posts (permanent or temp) actually available for them, additional temp. posts will have to be created for them, until permanent vacancies occur, in which they can be absorbed with due regard to the claims of the temp. men already serving in this Dept. The Sind applicants will have therefore to be content with temp. posts to start with, looking to the prospects of prmanency and pension, when their turn comes up in due course.

Vide my note letter.

(iii) Thequalifications and experience will have to beve verified in offering posts and fixing the pay and seniority from whatever papers are produced by the applicants, andno help can be expected from the Sind Govt. in this respect.

Id

(iv) By giving seniority to the Sind men on the basis of their length of service or the higher grade posts they are holding at present, the interests of those already serving in this Dept. will be adversely affected and this will cause discontent among them.

We should I think their seniority by 1 year in 5. This only for those of B'bay domicile and permit: hand presuming Their no. is not v.large (vide stt. (next page)

(v) It will be necessary torelax the domicile .age limits and theprescribed qualifications wherever they are not fulfilled.

Yes but the post will be mainly tempt:-

(iv) It has to be finally decided whether the applicnts, whoare not serving anywhere or are serving outside the P.W.D. (e.g. Karachi Corporation) are <u>not</u> to be considered for posts under this Govt.

(vii) It is assumed that the applicants, whether they are holding permanent or temp. posts in Sind, are to be considered for posts not only in this Dept. but also in other Engineering Depts. viz. the Housing and Agrl. Engineering Depts.

3. If the Sind applicants (particularly tthese who are serving in Sind and belong to this Province) are to be afforded immediate relief, the only solution is tocreate additional temp. posts for them wherever required unless there are any actual vacancies available for them. Two files of applications for gazetted and non-gazetted posts recently received in this Dept. are put up below Further applications a re being received almost every day. There are applications in this file also with notes and correspondence relating to them, to bedealt with further on receipt of orders on the above points. The table below shows the total number of applicants involced so far for the different kinds of posts.

Serial No.	Posts applied for	Number of Sindhi Applicants.	Number of Bombay Applicants Settled in Sind.
	<u>Gazetted posts.</u>		
1.	Ex.Engrs.	2+1	2
2.	Asstt. or Dy. Engrs.	12	3
3.	Mech. Engrs.	2	-
	<u>Non- gazetted posts.</u>		
4.	Overseers and Surveyors.	18	1
5.	Draftsman estabt.	3	8
6.	Research Asstt.	1	-
7.	Clerical estabt.	18	11
8.	Canal Assts.	2	-
9.	Signallers.	2	-
10.	Abdar.	1	-
11.	Peons.	3	3

p.An Ex.En: from Bahawalpur state who send the Secy (R) today 17-10-48

The applications can be noted upon in detail and disposed of, only when the general points raised above are

solved. Many applications for Overseers' posts from these not already holding permanent posts in Sind have been separately disposed of (each one separately as it was received) by asking the applicants to address the S.E.s. etc. direct for any available vacancies, as it is within their competence to make these apptts. and torelax the domicile, age limits and qualifications in appointing temp. and work-charged subordinates. Vide in this connection, the S.E., D.I.C.'s. letter dated the 14-10-47.

4. Orders on the applications for gazetted posts will have to be passed by Govt. It is assumed that the P.S. Commn. is not to be consulted at this stage, but on the officers concerned completing one year's service in temp. posts under this Govt. The P.S. Commn. has recommended 22 names for 19 temp. posts of Ex. Engrs. and 120 candidates for 92 temp. posts of Dy. Engrs. which are presently to be filled. The Sind applicants can be provided, if any of these posts are reserved for them. Dy. Engrs' posts can also be made available for them, if there are nay junior Overseers left offg. as Dy. Engrs. (after the 92 posts mentioned above are filled) who are not considered fitted for the Class II service and yet are offg. as Dy. Engrs. due to the shortage of officers. Dy. Engr's posts might thus possibly be found for Sind applicants in this and the other Engineering. Depts. viz, the Housing and the Agrl Engring Depts.

As regards non gazetted posts, the applicant will be asked to address the S.E.s etc. (including the Housing Commr. and the Director of Agrl. Engineering), who will be instructed to absorb them and whom general orders will be conveyed on the points raised above.

I think he should: be consider along with the other similar H, vide S. No. 5 of stt: d/p

Id

5. In view of the Chief Secy's note dated the 29-9-1947, it is for consideration whether, before proceeding further with this case, the S.E.s stationed in Poona may be asked to provide forthwith for Mr. Thatte in a permanent or a temp. post of Head draftsman, subject to such conditions as may be decided later by Govt., his pay being fixed on the basis of his past service. It is for consideration whether any reply should be given at this stage to Mr. Mirchandani's d.o. letter requesting for an Ex.Engrs post. After taking action as above, if necessary the papers may be referred to the P. and S.D. , A.R.D. and the F.D. with the proposals of this Deptt. on th e whole question as set out above before submission to the H.M., P.W.D. and H.P.M.

This should: I think, be done after submission to H.Ms

Id

PSM.
17-10-47.
4

Id/-

17-10-48

Margins.

Various questions of details are involved in settling this question and are dealth with hereunder.

2. The first and foremost is the number of vacancies. This question will arise time and again and unless we issue instructions on the point, the disposal of applications will either be badly delayed or lead to prolonged correspondence. The decisions regarding the gazetted staff will be reached in the Secretariat but the question will be of impoftance in the case of non-gazetted posts in whose case the decision will have to be reached by local officers.

In order to get over the difficulty, I suggest that the local officers be permitted to appoint such refuges staff, as is within their powers to appoint, upto a maximum of 10% of their sanctioned cadre purely as a temporary measures and against out future vacancies which may, when they arise, be permanently filled from the refugee staff with Bombay domicile only.

3. (i). The number of gazetted officers of Bombay domicle known so far is only 2 ex. Engrs. and 3 Dy. Engrs. They may, if on the permanent establishment in Sind, be taken on the permanent establishment in their substantive cadre here against existing or future vacancies with a reduction of 1 year out of every 5 of their permanent service for seniority.

This should be acceptable to them and fair to the existing officers in this Department.

(ii) The non-Bombay gazetted officers should be absorbed, if they desire to come, against our temporary demand of 19 Ex. Engrs. and 92 Dy. Engrs., their starting pays being fixed suitably. These people will possess P.W.D. experience and would certainly be more useful than the outsiders recommended by the P.S.C..

4. The gazetted staff would, in all probability, have been screened by the P.S.C. and we may relax the condition of prior interviews as it would be almost impossible for these people to come to Bombay merely for an interview first specially when passage are so difficult to obtain and they may find it practically impossible to leave Sind for the purpose.

We may offer appointments on the basis of their applications and subject to the other conditions we propose to lay down.

5. If approved, therefore, the following may be the decisions of this Government:-

(a) <u>Gazetted Officers.</u>

(i) Those (if permt. in Sind) with Bombay domicle will be appointed in the substantive permanent cadre, their seniority being fixed with a reduction of 1x year out of every 5 of their permenent service and initial pay according to the salary drawn by them fitted into our time scales; normal increments may be given therefor

be given therefrom.

(ii) Officers with non-Bombay and tempy. ones with Bombay domicile should be taken into temporary service against the temporary vacancies of 19 Ex. Engrs. and 92 Dy. Engrs. in our time scale, initial salary being fixed according to qualifications and experiance.

(iii) 9 vacancies out of 19 for Ex. Engrs. and 30 out of the 92 for Dy. Engrs. may be kept open for 1 month and booked for such refugee officers, after which period they should be finally filled in.

prior interviews are necessary

(iv) Appointment orders may be issued on the basis of the applications and without insisting on prior interviews.

(b) Non-gazetted staff.

(i) Recruitment upto an excess of 10% of the permanent cadre may be allowed in each circle and allied departments, e.g., Housing and Minor Irrigation.

The local officers may be asked to report the number of clear plus such vacancies in each category so that allotments and appointment orders can be issued from the Secretariat and unnecessary delays avoided.

(ii) The staff thus appointed should be informed that they may be liable to transfer anywhere within the province even after appointment to a specific circule.

(iii) The initial salary may be fixed according to qualifications and experience and fitted into out time scales of pay.

(iv) Persons belonging to this province only will be eligible for future permanency on the regular provincial cadre, their seniorities at the time being fixed by deduction of 1/5th of their service though their salary need not be reduced .

(v) Interviews prior to appointment need not be insisted upon.

(c) Leave and pensionary charges will count only from the date these men join in this province; credit for

temporary for ~~t~~ services being given according to~~s~~ existing rules and regulations. No credit will be given for service in Sind, unless the Sind Govt. Transfers such charges to this province.

(d) Conditions of age-limit and domicile should be considered as relaxed for refugee appointments.

(e) Appointment in this province will be subject to either a release order from Sind Govt. or a copy of resignation tendered to that Govt. This document should be verified by the local officers before the person joins for duty at the place he is posted to.

6. Circular orders will issue after submission of papers to H.Ms. The papers may be shown to P. & S.D. and F.D. after issue of the circular.

Id/-

17-10-47.

Cl. Secy. It is essential that P.& S.D. and F.D. should see these proposals not only before issue of the circular but also before submissions Govt. Ch. Secy

P.& S.D. should pl. note now and resubmit~~xxx~~

Id/-

28-10-47.

P. & S.D. (D)

POLITICAL AND SERVICES DEPARTMENT "D" BRANCH

The following remarks are offered on the proposals made in para. 5 D.S., P.W.D.'s note, dated the 17th Octr. 1947.

Proposals (A) Gazetted Staff.

(i) The proposal for absorbing the officers from Sind who originally belonged to this Province is in accordance with the policy of Govt. If their number is limited and there are permanent vacancies in which they can be employed, there seems no objection to taking them up in the manner proposed by D.S.P., P.W.D. It seems to be the intention of Govt. to consider the applications of such officers without reference to the claims of persons from this Province who may apply for the vacancies if they are advertised. If so and if the posts are not to be advertised, their appointment will require the concurrence of the P.S.C. and will involve the relaxation of rule 4 of its Functions Rules. It seems desirable to have the prior approval of the Commission to this procedure before Govt. commits itself to it since the posts are statutorly within its purview . It is not likely that when itis explained to the Commn. that it is the policy of Govt. to absorb the personnel from Sind in this manner the Commission will object to it. However, H.P.M. has stated in E. & I.D. file No. 8159 that it is not necessary to go to the P.S.C. but it not clear whether it is intended that those appointments should be made without consulting the P.S.C. This is not statutorily feasible unless the appointments are specifically excluded from the Commission's purview. It is dpubtful whether the Commission will agree to such an exclusion .Regarding the fixation of the seniority and pay of the personnel so appointed, if their service under the Govt. of Sind or a part of it is allowed [illegible] for seniority in the B.S.E., it will

looking to all circumstances, it does not seem desirable to exclude ~~nine~~ these posts.

it will adversely affect the interests of others already in service who may be reduced in rank. If, however, the number of persons who will be appointed is small, the adverse effect on others already in service may not be appreciable and there seems no objection to fixing their seniority as proposed by D.S., P.W.D. if Govt. accepts the proposal. Regarding the fixation of pay, F.D. will offer remarks.

As pointed out in point (iv) in this Deptt. note dated the 23rd Octr. 1947 in 1. pps. 1868/46 (linked case) these appointments will have to be exempted from the operation of the reservation orders.

(ii), (iii), & (iv). It is presumed that Govt. decision is that all P.W.D. Engineers should be eligible for appointment under this Govt. irrespective of their domicile. If so and if as stated by C.S. in the linked case the decision is to apply mutatis mutandis to members of other services also, Govt. will certainly be undertaking a huge responsibility of providing employment for all non-Muslim employees from Sind who may stage a run on the services of this province once they know that the avenue of service in this Province are open to them. This means that for some years to come fresh recruitment may have to be stopped and apart from this having an adverse effect on the efficiency of the services it will shut out from employment persons from this province who may look forward to Govt. employment, It is requested that clear orders on this point may be given. So far as P.& S.D. can see, it seems best to first confine the policy of absorption to nationals of this province and to take up others only if experienc

[illegible] taken up without detriment

to the efficiency of the services and the interests of the natives of this Province. Attention is invited in this connection to H.P.M'S minute dated the 25th Octr. 1947 in which he has stated that ' first preference shoul be given to these who are of provincial domicile, next to those with the Indian domicile, ~~next-to-these-with-t~~ and after that to those who have other domicile. In view of this, we may perhaps take up those who belonged to this Province and those of other domicile in the order indicated in H.P.M's minute later if they are considered suitable and they can be absorbed without detriment to the efficiency of the services.

~~Take~~ id

H.P.M's minute of the 25-10-47 orders not seen to contemplate this id

In case Govt. does not agree to the above proposal but desires that the decision should be made applicable to all irrespective of their domicile, it is submitted that the decision may be confined only to the P.W.D. when there are Technical posts and a number of vacancies . There may be many vacancies in P.W.D. in which such persons can be absorbed but it does not seem to be so in other services and Departments. The objections mentioned above may not, it seems, be overcome in other services and Deptts. If this is approved, the result will be that ~~in~~ in services other than P.W.D. the refugees who have Bombay domicile will be absorbed and others will be taken up only if men with domicile in this Province are not available.

The proposals made by D.S., P.W.D. at (ii) and (iii) are in regard to the filling of vacancies which have been advertised. It seems that P.W.D. does not wish to absorb any more persons than is possible from among those vacancies. If so and if this represents the intention of Govt., there seems no objection to the proposals. It is not clear whether it is the intention that only those applications which are received by Govt. so ar should be invited . The recruiting authority for the posts being P.S.C., the ap

applications will have to be passed on to that body in the former case and in the latter case it will have be asked to advertise the posts. Perhaps the former course will do so that the P.S.C. may be requested to make selections from among applications received by Govt. This is a departure from the usual procedure followed by the P.S.C. but in the special circumstances of the case it may be expected not to raise any objection.

(b) Proposed Non-gazetted staff.

(i) It is not clear whether it is the intention of Govt. to create vacancies and posts for the refugee Such a course seems to be against accepted financial canons according to which posts are to be created if work warrants it and not merely to provide for men. P.& S.D. understood Govt. intention to be to absorb the refugee personnel in vacancies that may exist vide in this connection point (iii) in the office note, dated the 23rd Octr. 1947 in the linked case. However, this is a point primarily for F.D. to advise on and that Deptt, will offer its remarks.

(ii), (iii) and (iv) No remarks

(iv). Please see the remarks on (a) of D.S., P.W.D.'s proposal regarding the manner of selection vide A.A. above . If only the applications so far received are to be considered, perhaps a committee set up by the P.W.D. may make the selection and allot candidates to the various circles on the the basis of their requirements communicated by them.

(c) No remarks. F.D. is primarily concerned with this the orders indicated.

(d) Re. 'domicile' please see 'X' above. It is for orders whether the relaxation of domicile should hold good in respect of other services also (i.e. other than Engineering). it seems so provided that in H.P.M.'s minute of the 25-10-47 is observed.

(e) the course suggested seems unobjectionable.

The pps may be referred u.o. to F.D. that Deptt may return this file to this Deptt. that it can be submitted to Govt. along with the linked case.

Id/-

30-10-47

F.D. may see as proposed.

Id/-

31-10-47

C.S.

Sdx

We must take the P.S.C. with us in ~~three~~ these proposals I think H.P.M. meant that ~~proposals P.S.C. made~~ need not be consulted regarding officials from Sind who had been originally selected by ~~the~~ Joint Bombay - Sind P.S.C. P.S.C. may be asked if they would agree to this- otherwise there is no case for excluding ~~these~~ posts from their purview.

2. If the order of priority laid down by H.P.M. is adapted
   1) Bombay inhabitants
   2) India .
   3) Others

There will be no harm in applying the orders to all Deptts

Sd/-

5-11-47

U.o.x to F.D.
3-11- 47

The file was unofficially obtained from F.D. for reference and is now returned to that Deptt for further action.

Id/-
6-11-47

U.O. to the F.D. dated the 6-11-47

at ~~main~~ an interviewed with H.P.M. & H.M. P.W.D. the Chairman has since agreed to this

Id/
1/2

Finance Department(B)

The proposals made in the file with regard to question of giving employment to refugees in Govt. services are confined to the P.W.D. only But it will be seem from Chief Secy.'s note dated 1-11-1947 that they will be applied to other Deptts. also, The question is really one of policy for Govt. to decide. In so far as F.D. is connerned the following questions would arise for consideration.

2. Vacancies.-

The refugees can be taken up(i) either in vacant posts (permanent or temporary) or (ii) addl. posts may be oreated for them. So far as (i) as concerned itis unobjectionable from the F.D. point of view but a question would arise whether these persons should be confirmed in permanent posts or kept offg. In the initial stage at least the latter would be preferable and F.D. may accordingly advise that all such apppintments should in offg. capacity only and persons should not be confirmed without specific orders of Govt.

3. With regard (ii) it may be stated that the financial canmon is that posts are created for work and not to accommodate men. The issue however as stated above is a major issue of policy and it is open to Govt. to suspend the operation of this rule. But from the F.D. point of view it is necessary that some limit should be imposed upon the addl. cost to be incurred in this manner. The Dy. Secy. P.W.D. has proposed that all cadres should be increased by 10 per cent of the sanctioned cadre which would be absorbed in future vacancies. This, however, does not give us an estimate of theaddl. cost involved . If the principle is extended to all Deptts. of Govt. the addl. liability may well become enormous. In the circumstances it would be advisable for Govt . to earmark a

a specified amount which should be spent on creating addl. posts for giving employment to refugees in Govt. service and all proposals for such posts may be sanctioned against this allotment.

4. Pays.

In all cases thepay scales attached to posts will be the sanctioned scales. It has however been suggested that it may be necessary to give higher starting pays in view of the qualifications and experience . In so far as Govt. is going out of its way to provide employment, it seems the persons concerned should accept the pay admissible to them under the normal rules or general orders of Govt. on the subject. There does not appear to be strong justification for treating these persons in thematter of initial pays in any way better than persons from this Province.After all therefugees should also be prepared to make some sacrifice- We have in cases ewhere difficulty is experienced in recruiting suitable man and where competition in theopen market justified it give higher starting pays. In thepresent case however this consideration is absent . If the refugees are able to secure higher pays in private firms etc; they are welcome to it. If the Govt. however need not go out of its way to make the pays specially attractive in order to make them acceptable. In the circumstances F.D. may advise that as a general principle initial pays may be regulated according to the normal rules. In case of some individual posts requireing very high qualifications etc. it is always open to Govt. to make an exception.

5. If, however the above view is not accepted F.D. may agree in principle to the grant of higher starting pays but each individual case must be scrutinised on merits in consultation with this Deptt.

6. We may agree with theproposals in(c) and (d) of P.W.D. note.

Id/-

8-11-47

Finance Department.

I have discussed theproposals in these papers with C.S. and later with H.M., P.W.D.

2. The first proposal is that the conditions of domoco;e and age- limit should be relaxed in respect of refugees from Sind. A decision to relax these conditions has already been taken by Govt. So far as F.D. is concerned we need not object to the proposed relaxation of age-limit in respect of regugees in view of the abnormal conditions which have led to these changes.

3. In regard to ~~keerder~~ the order of preference reference has been made to H.P. M.'s note where he indicated that the order of priority should be -

(i) Bombay inhabitants
(ii) India.
(iii) Others.

4. The exact significance of this order is not quite clear, Since the question really pertains to refugees from Sind most of whom would be of non-Indian" domicile. From a study of the proceedings and files relating to the cases under consideration it would appear that the order of preference" is really intended to be as follows:

(i) Persons of Bombay domicle

(ii) Persons of Bombay origin and Sind Domicile

(iii) Persons of Sind origin and domicile

C.S. with whom the case was discussed also appeared to think that this was the logical order.

5. So far as the employment of thse person is concerned they may be divided into three classes:-

(a) Those who were in permanent Govt. service in Sind before evacuation;

(b) Those who were in temporary Govt. service or in other public employ such as Karachi Corporation and other Municipalities and D.L. B.s;

(c) Those who were in private employ or who are seeking employment for the first time.

.The discussion with H.M., P.W.D. showed that while considering the absorption of Sind refugees the above order should as far as possible be observed.

6. The main proposals in these papers pertain to persons in category(a) viz. those who held permanent posts in Govt. service in Sind. In these proposals distinction has been made between those who are of Bombay domicile or origin and those who are of non- Bombay domicile and origin: (vide note at pp. 47-48 ante)
It has been proposed in that note that persons belonging to this Province should be given the seniority of the year of their service and that they should be absorbed in permanent posts as soon as there were permanent vacancies As regards persons not belonging to this Province are to be taken at the bottom of the list for the purpose of seniority and that they are to be taken in temporary posts. During the discussion, however, H. M., P.W.D. expressed in the view that the only distinction that should be made between persons belonging to this Province and others was that the former should be given preference in appointment but that as regards seniority, pay and permanency, subject to the above preference, both categories should receive equal treatment. Therefore it would appear that the distinction referred to at 'X' above is not intended to be pursued..

7. H.M., P.W.D. indicated that while absorbing Sind Govt., servants in the Bombay P.W.D. he was particularly interested in seeing that th se persons who were formerly in the joint cadre before the separation of Sind 1936 should be absorbed in Bombay and they should receive their former seniority. It would therefore appear to be desirable to lay down that while employing these persons those with longer service should be given preference.

8. The individual recommendations on thevarious points regarding the employment of permanent Sind Govt. servants in this Province may now be considered.

9. Vacancies- So far as theproposal relates to the absorption of Sind refugees in the available vacancies there is no objection to it from the F.D. point of view. Where there are clear vacancies of permanent posts F.D. need not also object to the persons appointed being confirmed in those posts provided the instructions in G.R., F.D., No. 6261/33 dated 29-10-47 are observed.

10 Mr. Anand has however proposed that officers concerned-as also I presume Govt. in the P.W.D. - should be authorised to appoint refugees to posts 10 % in excess of the sanctioned cadre purely as a temporary measure, as against future vacancies. This in fact amounts to the creation of posts in excess of requirements, however short theperiod may be and has been rightly objected to in the office note. The financial implications of this suggestion may well be enormous, specially if it is also applied to the other departments. If it is suggested that this recommendation, which does not appear to have been seen by H.M., P.W.D., may be dropped.

11. Seniority- H.M., P.W.D. had approved the proposal that these officers should be given seniority in the Bombay cadre according to their service in Sind. D.S., P.W.D. has however suggested that their seniority may be reduced by one year in five of their permanent service in Sind. The revised proposal may be shown to H.M, P.W.D.; so far as F.D. is concerned it need not object to either of the proposals.

12. Pay. It is proposed that the initial pays of these officers may be the same as these drawn by them in Sind and that these may be fitted in the Bombay time scales. As pointed out in the office note however, ordinarily new recruits must be started on the minimum of the time scale except in

in individual cases where because of special qualifications and experience . Higher posts are sanctioned. It is realised however that in the case of persons who are proposed to be appointed higher starting pays will be necessary in almost every case because of their experience and service in Sind . But the proposal in its form is not wholly acceptable because (i) the revised scales of pay in Sind are I think appreciably higher than those in Bombay and (ii) the method of fixation of pay from Class II to Class I is also different and therefore the importation in Bombay scales of the pays drawn by them in Sind will give the persons concerned an advantage over those already serving in this Province. In view of the complications regarding the differences of pay scales and rules regarding the fixation of pays on promotion it is difficult to evolve a general formula which will be suitable in all cases and therefore it will be necessary to refer a number of these to F.D. for advice. But as a general rule it may be laid down that while fixing the initial pay in a particular post in the Bombay time scale full credit should be given to the person concerned for his service in a corresponding post in Sind; in cases where it is considered that a higher pay than that under the above formula is justified they should be referred to F.D. for advice.

13. Leave and pension charges.- The proposal that these should count from the date the officer joins, unless the Sind Govt. agrees to bear proportional charges for his past service, is in order . Under (e) at p. 132 ante it is proposed to lay down that appointment in this Province will be subject to a release order from the Sind Govt. or a copy of resignation tendered to that Govt. In this connection it may be pointed out that insistence on resignation of the officer concerned may render the settlement with the Sind. Govt. at some future date of the pensionary liabilities difficult. It is therefore for

for consideration whether instead of insisting on resignation it would not be adequate to take an undertaking from these officers that they would be prepared to tender their formal resignation to the Sind Govt. at any time they are called upon to do so by the Bombay Govt. The question is really one of policy and is for orders.

14. It is observed that 9 vacancies in Executive Engineers posts and 30 vacancies in Dy. Engineers posts are proposed to be reserved for refugee officers. P. & S.D. has accepted this suggestion and there need be no objection to it from the F.D. point of view.

15. The above discussion deals with persons in the permanent employ of the Sind Govt. As regards those falling in categories (b) and (c) mentioned in para. 5 above (p. 144 ante) while the position has not been clearly stated the implication is that these persons will betaken at the bottom of the Bombay Seniority list and their initial pays will be fixed according to their qualifications and experience. It is presumed that ~~where~~ that where starting pays higher than what S.E.'s &c., are competent to sanction are proposed to be given the papers will be referred to F.D. F.D. may accept this position.

16. H.M., P.W.D. asked me to submit the papers to him in view of certain modifications suggested. The papers papers may therefore kindly be passed on to him after Secy. and C.S. have seen.

Id/-

25-11-47

Secy.

These proposals seen to be in order and may be applied to all Deptts so far as suitable file (vide caseII) Resignation need not be insisted on. Just as some posts are being ~~gazetted~~ reserved for refugees in P.W.D. so in other Deptts. one fifth of future vacancies may be kept for refugees so long as necessary,, as proposed in case II

C.S.
H.M. P.W.D

on this point I am marking these files for H.M. R.D. and H.[illegible].P. also.

Id/-

1-12-47

H.M., P.W.D.,

H.M., F.D.

H.P.M.

For the sake of clearness I summarise.

1. These rules apply to Pakistan refugees, i.e., those who have left any province of Pakistan refugees ~~i~~ after its separation from the Indian Union.

I am not sure t[illegible] this should [illegible] kept

Sd./-
I agree we need not have any reservation

Id

2. Twenty percent of the vacancies in this Province should be reserved for refugees until futher notice.

3. Present orders as regards domicile and age should not apply in the case of refugees.

4. Between refugees, preference should be regulated as under:-

(1) Persons of Bombay domicile

(2) Persons of Bombay origin and Pakistan domicile

(3) Persons of other origin and Pakistan domicile.

5. The appointing authority should interview the candidates and call for their credeantials, (this is necessary as a man from Baluchistan has applied whose so- called degrees are from a correspondence college) and satisfy iteself that the candidate is fit for service in Bombay.

6. In the case of officers in the permanent gazetted services in Pakistan,

(a) if they have been <u>original recruits</u> to the provincial service, seniority will count from the day they joined the service and pay will be regulated according to Bombay pay scales, as if they had been in Bombay pay scales, as if they had been in Bombay service all the time;

(b) Who have been originally recruited in the subordinate or other service and promoted to gazetted rank

should be primarily put in the subordinate service and given seniority from the date of joining Pakistan subordinate service. They should be considered for promotion to gazetted rank when they have attained the seniority at which our men are considered for promotion. Should they have already reached that seniority their case should be considered at the time of next promotion.

This rule is necessitated by the fact that in some services in Pakistan, a service of 10 to 12 years in the subordinate grade counts for promotion to gazetted rank whereas in Bombay promotion rules are stricter and in most services promotions come only after 20 year's service.

7. In the case of non-gazetted men, a rule similar to 6(a) should apply mutatis mutandis.

8. Those who were in temporary Govt. service or in the service of Municipalites or District Local Boards or are seeking Govt. service for the first time should be individually considered and their initial pay fixed according to qualifications and experience. Where starting pays higher than the authority making the appointment is competant to sanction are contempl,-ated, the cases should be referred to Govt.

9. Gazetted Officer from Sind, need not appear before the Public Service Commission. Others will be employed on the condition, that they will be retained in service Commission so advises.

10. This Govt. will be responsible for pension, Provident fund etc. from the day a refugees enters Bombay Govt. Service . His previous contributions unless refunded by his original Govt. will not count .

Sd/-
20-12-47
20-12-

See the notes in the margin

H.M. R.D.
H.P.M.

C S
H.P.M. R.D.

I hope orders can now issue comes applicable to all Deptts.
In para 5 P.W.D.'s minutes
By "credentials, I the present file maintained by the Sind Govt. is not intended as that cannot be proposed Preserved without bringing the applicants into trouble in Sind As directed on an E.& I D. file applicants should be asked to give the names of Bombay officers who may have known their work in Sind, & of course if they have any cerfiticates etc. These can be produced Matriculates and Graduates would presumably be verified from the University if necessary.

Id/-

22-12-47

P.& S.D. (D)

Resubmitted

2. A draft G.R. is put up in P and S.D. file No. 1868/46 submitted as linked case (Copies of H.M(P.W.D.)'s and H.P.M. minutes and CS note have been kept in that file) This file may be returned to P.W.D.. The General orders to be issued will be addressed to P.W.D.

Id/-

23-12-47

Id/-

27-12-47

u.o.r. to P.W.D..

Some portion of original file has been in torn condition Gaps are kept for the same

Government Service.
Appointment of non-Muslim refuges from Pakistan to.

GOVERNMENT OF BOMBAY.
POLITICAL AND SERVICE DEPARTMENT.

Resolution No. 1868/46,
Bombay Castle, 5th January 1948.

RESOLUTION OF GOVERNMENT.

According to rule 4 of the Bombay Civil Service Classification and Recruitment Rules recruitment to Provincial and Subprdinate Services under the Government of Bombay ordinarily confined to natives of the Province of Bombay ad defined in rule 3(d) of . rules. Owing to the recent partitioning of India and the resultant migration of number of non-Muslims from the newly created dominion of Pakistan to the Province Bombay amongst other Provinces of the Indian Union, the Government of Bombay had under consideration for some time past the question whether the provisions of of the Bombay Civil Services Classification and Recruitment Rules should be relaxed favour of non- Muslims refugees from Pakistan who desire to settle in this Provinces . Government has now decided that the provisions of rule 4 should be relaxed in favour non-Muslims from all the Provinces of Pakistan who have left their Provinces of origin that dominion after its separation from India and desire to settle in this Province , that their applications for service under this Government should be considered on a with those of natives of this Province Government is also pleased to issue the following orders in this connection, viz.,

(i) The rules and orders prescribing age -limits for the different appointments , should not be made applicable to refugees who were in continuous service up to the 15th August 1947 or thereafter under the Governments of Pakistan or under semi Government institutions like Municipalities and Local Bodies in the dominion of Pakistan.

(ii) Among refugees , preference in making appointments

should be regualted as follows:-

(a) Persons of Bombay Domicile,

(b) Persons of Bombay Origin and Pakistan domicile,

(c) Persons of other origin and Pakistan domicile,

(iii) The appointing authority should interview the applicants and verify from sources available the claims and statements made by them as regards their educational qualifications and their position as Government servants, etc., in Palistan e.g., the length of service, the posts they held, etc., etc. The personal files of the applicants should not, however, be called for from the Governments in Pakistan applicants who were employed under those Government should be asked to give the names of officers serving under the Governments of India who may have known their work and if they have any certificates, etc., they should be asked to produce and, if necessary, by reference to University authorities. In case of any doubt in regard to the verification of these clams, the matter should be submitted for the orders of Government.

(iv) Persons who were employed under the Governments in Pakistan should generally be taken up in corresponding service under this Government. In the case of persons so taken up their seniority vis-a-vis other and their pay should be fixed as follows, viz-.

(a) if they have been original recruits to the Provomcoa; Services under Governments in Pakistan, seniority will count from the day they joined service and pay will be regulated according to the pay-scales of the posts to which they are appointed under this Government as if they are appointed under this Government as if they had been in the service of this Govenmment from the beginning;-

(b) if they were originally recruited in the subordinte of others Services and later promoted to gazetted rank under the Governments in Pakistan, they should berecruited under this Government to the Subordinate Service and Given seniori-

seniority in that service according to the dates on which they joined the Subordinate Service under the Governments in Pakistan. Their future promotion should be regulated according to this seniority vis-a-vis other persons in their cadre.

(v) In the case of persons who were employed in posts in the Subordinate or Inferior Services under the Government in Pakistan, the provision of rule (iv) should apply mutatis mutandis in regard to the fixation of their pay and seniority.

(vi) Those who were in temporary service under the Governments in Pakistan or were in the service of Municipalities and District Local Boards in that dominion or are seeking Government service for the first time, should be considered for appointment under this Government on merits and their initial pay fixed according to their qualifications and experience. In cases in which it is proposed to grant pay higher than the initial of the scale or the pay which the appointing aythority is competent to sanction, the cases should be referred to Government .

(vii) In the case of posts lying within the purview of the Bombay Public Service Commission:-

FOR Further orders pl.see P.&S.D. Circular attend. No.1868/46 dtthe 6-7-49

8980/36
44835

(i) Persons who were holding Provincial or other gazetted service posts under the Government of Sind or posts which lay within the purview of the Joint Bombay Sind Public Service Commission before the 1st August 1947 may be taken up direct in this Province without reference to the Public Service Commission; but-

(ii) others should be selected through the Bombay Public Service Commission or if they are Taken up direct they should be employed on the condition that their futther continuance or retention would be subject to the approval of the Public Service Commission. In the case of the latter class of persons, reference to the Public Service Commission should bemade by the administrative Departments concerned without a avoidable delay.

(viii) The Government of Bombay will be responsible for the pension, provident fund, leave, etc, of the persons employ in accordance with thex above orders from the day they enter the service of this Government and their claim for pension, provident fund, leave , etc., will be governed by the general rules in the-matter . Their previous service under Governments in Pakistan, in the case of those who were in such employment, will not count forpe pension, provident fund or leave unless the respective Governments concerned pay to this Government proportionate contributions in respect of that service.

(ix) pl- see slip "A"

in case of any doubt the orders of Government should be taken.

By order of the Governor of Bombay.

L.H. TAUNTON,
Chief Secretary to the Govt. of Bombay.
Political and Service Department.

G.R. No. 1868/46, P. & S.D. dated 5th January 1948.

To

The Private Secretary to His Excellency the Governor.
The Secretary, Bombay Public Service Commission.
The Accountant General, Bombay,
The Prothonotary and Senior Master, High Court, Bombay (By letter)
The Registrat, High Court, Appellate Side, Bombay (Byletter)
The Chief Refuge Officer, Bombay.
The Director of Publicity, Bombay (for issuing a Press Note)
All other Heads of Departments and Heads of Offices under the several Departments of the Secretariat,
All Departments of the Secretariat,
The Regional Director of Resettlement and Employment, Bombay (by letter)

No. of 1948

Copy forwarded for information and guidance to

circulated one copy

Sd/-
12-1-48

A copy is circulated separately.

14-1-48
E.B.(II) to see and retain a copy, please

Copy retained.
14-1-48

(1) Order (IX) should berenumbered as (X) Slip"A" Vide P&S.D.
(2) the following should be inserted a s o No. 1868/46 dt the22
order(IX),viz., " Until further
orders vacancies occurring under this Government may be
filled up to 20 per cent. by the appointment of refugees
from Pakistan."

---

2. The following should be substituted for clause (iv) of Government Resolution, Political and Services Department, No. 1868/46, dated the 5th January 1948,viz.,

C.R.P. &S.D. No. 1868/46 dated the 1-10-48

" (iv) Persons who were employed under the Governments in Pakistan should generally be taken up in corresponding service under this Government. In the case of persons so taken up, their seniority vis-a-vis others and their pay should be fixed as follows, viz.,

(a) if they have been original recruits to the Pro vincial Services under Governments in Pakistan their pay will be regulated according to the pay scales of the posts to which they are appointed under this Government as if they had been in the service of this Government from the beginning; but as regards seniority, they will be permitted to count one year's service for every three completed years' service rendered by them under Governments in Pakistan.

(b) If they were originally recruited to the Subordinate or other Services and later promoted to gazetted ran under this Government to the Subordinate Services and given seniority in that service on the basis of counting one years' service for every threecompleted years' service rendered by them under Governments in Pakistan Their future promotion should be regulated according tothis seniority vis-avis other persons in their cadre from the date from which they joined the corresponding cadre Governments in Pakistan.

ADDENDUM.

The following "Note " should be added below clause (iv) of Government Resolution, Political and Services Department No. 1868/46, dated the 5th January 1948, as amended Govt. Resolution, Political and Services Deptt., No. 1868/46, dated the October 1948, viz.:---

P.& S.D. Adcl. No. 1868/36 dt. the 28.1. 49.

" The intention is that the maximum pay admissible to persons so appointed should not exceed thepay last drawn by them under Governments in Pakistan. Where their pay worked out according to this clause exceeds the pay last drawn, the var Principles underlying Bombay Civil Services Rule 41 may be applied as if the appointment is made substantively."

8980/36
14236

2. The provisions of the " note " should not be applidx to persons who were pointed before the issue of this Addendum.

Slip "A vide P.&. S.D. Adcl. No. 1868/46, 22-3-48

(1) Order (IX) should be renumbered as (X);
(2) the following should be inserted as (IX), viz,

"Until further orders vacancies occuring under this Government may be filled up to 20 per cent. by the appointmant of refugees from Pakistan."

for further order pl.see P.& S.D. Adcl. No.1868/48 dt. the 28-1-49

for further ref. pl.see letter No. 1868/46-3 dt- the 24-1-48

*for futher orders pl.see G.E., P.S.D.No. 1868/46-14-478 -D dt the 30-3-49 (8980/36-II)

Government Service

Appointment of non-Muslims refugees from Pakistan to-

8980/36 54385

For further orders pl. see G.R.&P. and S.D. No.1868/46 dt the 1-10-48 and the11-10-48 (8980/36/57956)and (8980/36/66790)

Government of Bombay
Political and Service Department.
Resolution No. 1868/46
Bombay Castle, 5th January 1948

RESOLUTION OF GOVERNMENT.

for further orders pl.see P.&.S.D. No 1868/46dt 18-10-50

8980/36 98003

According to rule 4 of the Bombay Civil Services Classification and Recruitment Rules recruitment to Provincial and Subordinate. Services under the Government of Bombay is ordinarily confined to natives of the Provinces of Bombay as defined in rule 3 (d) of those rules. Owing to the recent partitioning of India and the resultant migration of a great number of non-Muslims from the newly created dominion of Pakistan to the Province of Bombay amongst other Provinces of the Indian Union. the Government of Bombay has had under consideration for some time past the question whether the provisions of rule 4 of the Bombay Civil Services Classifications and Recruitment Rules should be relaxed in favour of non-Muslims refugees from Pakistan who desire to settle in this Provinces. Government has now decided that the provisions of rule 4 should be relaxed in favour of non-Muslims from all the Provinces of Pakistan who have left their Provinces of origin in that dominion after its separation from India and desire to settle in this Province and that their applications for service under this Government should be considered on a par with those of natives of this

Para further orders pl-see P.&S.D. Cir. No.1868 /46 dt.the 3-6-49 pl.VI

8980/36 42351

and

P.&.S.D. encl No. 1868/46 18140-D,dt-7-7-49 pt-VII (8980/36 50918

Province. Government is also pleased issue the following-orders in this connection, viz.,

Pl.See G.C.M. P&S.D. No. 1868/46, dt.the 27th May 1950 (2193/48/48555)

(i) The rules and orders prescribing age limits for the different appointments should not be made applicable to refugees who were in continuous service up to the 15th August 1947 or thereafter under the Government of Pakistan or under semi-Government institutions like Municipalities and Local Bodies in the dominion of Pakistan.

Pl.see G.R. P-and S.D. No. 1868/46 dt. 15-3-50. (2103/48/29384

(ii) Among refugees, preference in making appointments should be regulated as follows:-

(a) Persons of Bombay Domicile,

(b) Persons of Bombay origin and Pakistan domicile

(c) Persons of other origin and Pakistan domicile

(iii) The appointing authority should interview the applicants and verify from sources available the claims and statements made by them as regards their educational qualifications and their position as Government servants, etc., in Pakistan, e.g. the length of service, the posts they held, etc., etc. The personal files of the applicants should not, however, be called for from the Governments in Pakistan. Applicants who were employed under those Governments of ~~India~~ should be asked to give the names of officers serving under the Governments of India who may have known their work and if they have any certificates, etc., they should be asked to produce them. Claims regarding educational qualifications should be a verified by reference to original certificates which the applicants should be asked to produce and, if necessary, by reference to University authorities. In case of any doubt in regard to the verification of these claims, the

the matter should be submitted for theorders of Government.

(iv) Persons who were employed under the Governments in Pakistan should generally be taken up incorresponding services under this Government..In the case of persons so taken up their seniority vis-a-vis others and their pay should be fixed as follows, viz.,

(a) if they have been original recruits to the Provincial Services under Governments in Pakistan, seniority will count from theday they joined service and pay will be regulated according to the pay scales of the posts to which they are appointed under this Government as if they had been in the service of this Government from the beginning.

(b) if they were originally recruited in the Subordinate or other Services and later promoted to gazetted rank under the Governments in Pakistan, they should be recruited under this Government to the Subordinate Service and given seniority in that service according to the dates on which they joined the Subordinate Service under the Governments in Pakistan . Their future promotion should be regulated according to this seniority vis-a-vis other persons in their cadre.

(v) In thecase of persons who were employed in posts in theSubordinate or Inferior Services under the Governments in Pakistan, the provision of rule, (iv) should apply mutatis mutandis in regard to the fixation of their pay and seniority.

for further orders pl.see Govt. endt. P.& S.D. No 1868/46-53471- dt the 29-1-51 (2103/48-10036)

(iv) Those who were in temporary service under the Governments in Pakistan or were in the service of Municipality and District Local Boards in that dominion or seeking Government service for the first time.Should be considered for appointment under this Government on mergers andtheir initial pay fixed according to their qualifications and exeperience. In case in which it is proposed to grant pay higher that the initial of the scale

or the pay which the appointing authority is competent to sanction the cases should be referred to Government.

(vii) In the case of posts lying ~~refer~~ within the purview of the Bombay Public Service Commission:-

(i) Persons who were holding Provincial or other gazetted service posts under the Government of Sind or posts which lay within the purview of the Joint Bombay Sind Public Service Commission before the 1st August 1947 may be taken up direct in this Province without reference to the Public Service Commission;but-

'for further orders pl.see 'P.& S.D. Cir.items ' No.1868/46 dt the '& 6-7-49 (8980 /36/448-35

(ii) others should be selected through the Bombay Public Service Commission or if they are taken up direct they should be employed on the condition that their further continuance or retention would be subject to the approval of the Public Service Commission. In the case of the latter class of persons, reference to the Public Service Commission should be made by the administrative Departments concerned without avoidable delay.

(viii) The Government of Bombay will be responsible for the pension,provident fund, leave,etc., of thepersons employed in accordance with the above orders from the day they enter the service of this Government and their claim for pension provident fund, leave, etc., will be governed by the general rules in thematter. Their previous service under Governments in Pakistan, inthe case of those who were in such employment, will not count for pension, provident fund or leave unless the respective Governments concerned pay to this Government proportionate contribution in respect of that service

(x) Pl. see slip "A"

in case of any dount theorders of Government should be taken.

By order of the Governor of Bombay

I.H. TAUNTON
Chief Secretary to the Govt. of Bombay.
Political and Services Department.

G.R. No. 1868/46, P.S.D. dated 5th January 1948

To

The Private Secretary to His Excellency the Governor.

The Secretary, Bombay Public Service Commission,

The Accountant General, Bombay,

The Prothonotary and Senior Master, High Court, Bombay (By letter),

The Registrar, High Court, Appellate Side, Bombay (by letter)

The Chief Refuge Officer, Bombay,

The Director of Publicity, Bombay (for of Offices under the Several Departments of the Secretariat,

The other Heads of Departments and Heads of Offices under the several Departments of the Secretariat.

Alll Departments of the Secretariat,

The Regional Director of Resettlement and Employment Bombay (by letter)

No. of 1948.

Copy forwarded for information and guidance to

Copy submitted for in as directed by D.S.

Id/-

12-1-48

Secy(AB) 13-1-48
Secy (I) 14-1-48
D.S. Secy (R&B) 14-1-48

U.S. 21-1-48

Letter.

Public Works Department.
Bombay Castle, 7th February 1948.

Confidential.

Very Urgent.
No. 8980/36-E(I)

To

The superintending Engineers of Circles,
The Public Health Engineer to Government.

Subject:- Refugees from Pakistan.
Appointment of, as Deputy Engineers in the Public Works Department.

Government has received a number of applications from refugees from Pakistan for appointment as Deputy Engineers in this Department. Many of the applicants were employed under the Sind Government and have considerable experience of the Public Works Department . In accordance with the general policy laid down by Government in regard to refugees, it has been decided to absorb as many of these applicants as possible in this Department. This however will have to be achieved by reverting some of the D.C.Ds. who have been officiating as Deputy Engrs. adn who could be replaced , with advantage, by graduate officers, as there may not be many unfilled vacancies in all the Circles, I am accordingly to request you to review the whole position and report to Government the number of such persons that can be absorbed in your Circles in the posts of Deputy Engineers with a view to increasing the overall effieiency of the Department.

2. This may please be treated as Vefy Urgent.

By order of the Governor of Bombay.

Sd/-
(D. A. GADKARI).
For secretary to the Government of Bombay,
Public Works Department.

D.A.Nil

Copy forwarded to-

the Electrical Commissioner with the Government of Bombay.
the Housing Commissioner,
the Director of Agricultural Engineering,

with a request to furnish similar information in respect of their organisations

---

Copies to-

the Political and Services Department,
the Agricultural and Rural Development-Department

for information.

BVK

7-2-48

Issued
7-2-48

Accompaniment to the Government Endorsement, Political and Services Department, No. 1868/46-D, dated the 16th March 1948.

D.O. No. 990,
P.W.D. Secretariat,
Bombay, 22nd January 1948.

My dear Bhat,

Please see paragraph (VIIXI) of Government Resolution, Political and Services Department, No. 1868/46. dated the 5th January 1948, regarding the appointment of non-Muslims regugees from Pakistan to Provincial and Subordinate Services under the Government of Bombay. The Commission consider that the teaching standard in Sind is low as compared to that in Bombay with the result that the quality of recruits in Sind is generally poor. The same probably is the case in the Punjab also. Candidates recruited in the Punjab and Sind will not, therefore, ordinarily be of the same quality as those in Bombay, and it would be unfair to Bombay Candidates that they should have to make room for refugees who in open competition may not perhaps be found as good as them.

Besides, from the wording of paragraph (VII) (i) of the Government Resolution, it is not clear exactly what is intended, e.g. it is not clear whether it would be open to a department to appoint a Lecturer in Economics as Assistant Educational Inspector, while the Commission have advertised and are interviewing candidates for the latter class of posts. The position requires to be examined in the light of the above remarks .

Yours sincerely,

Sd/- Y.A.Godbole,

M.D. Bhat, Esquire, CIE., ICS.
Chief Secretary to the Government of Bombay,
Political and Services Department.
Bombay.

Mam / 15348

D.O. No. 1868/46-D.
Political and Services Department,
Bombay Castle, 11th March 1948.

Please refer to your demo-official letter No. 990, of the 22nd January regarding paragraph (VII) (i) of Government Resolution, Political and Services Department, of Government Resolution, Political and Services Department, No. 1868/46, dated the 5th January 1948. It is not the intention of Government that the refugees who were in service under the Government in Pakistan should be taken up here in preference to others . The interntion is that their suitability for the posts should be considered with due regard to the requirements of the posts and their own qualifications and that they should be taken uup only if the appointing authority is satisfied that they are quite suitable for the posts. If the authority considers that the refugees are not suitable and that better candidates would be available by advertising the post or posts, it is open to him to adopt this course. There may be several persons among the refugees who were selected by the Joint Bombay -Sind Public Service Commission for appointment under the Government of Sind and Since the Commission were satisfied regarding their suitability for the particular type of posts and some of them may have put in considerable servive under the Government of Sind, I hope the Commission will concede that it is not necessary to require them to apply to the Public Service Commission again and take their chance along with fresh applicants- Ordinarily a person already selected by the Joint Commission for a particular post in Sind should be held eligible for a similar post here without further investigation. Those who were employed under the Government of Puhjab will of course have to come through the Commission.

I am also not sure whether it is correct to apprehend that because the teaching standard in Sind and the Puhjab is low the candidates recruited in Sind and the Punjab will not be of the same quality as those in B

Bombay. The academic standard of the degrees and diplomas of those who were recruited for service under the Government of sind will be the same as that of those from Bombay as the degrees and diplomas were like those of Bombay candidates, awareded by Bombay University- In the case of of the Punjab candidates also many of the degrees and diplomas of the Punjab University were even ordinarily recognised for the purpose of recruitment to service under this Government and hence it will not be correct to urge the standard of their academic qualifications against them.

Regarding your query whether it is open to a Department to appoint a person who was selected for the post of Lecturer in Economics under the Government of Sind to a post of Assistant Educational Inspector,, I am to say that it is not so. The suitability of the person concerned for the latter post will have to be assessed in consultation with the Commission and in the Department concerned is satisfied about his suitability for that post and desires to appoint him thereto it will refer his case to the Commission for its advice. It is, however, not necessary to consider his claims along with those of others who may have applied in response to the Commission's advertisement.

In the circumstances, I trust that you will agree that no reconsideration of the orders in question is necessary.

Yours sincerely,

Sd/- M.D. Bhat,
Y.A. Godbole, CSI., CIE., ICS. (Retired),
Chairman,
Bombay Public Service Commission.

No. 1868/46-D.
Political and Services Department,
Bombay Castle, 16th March 1948.

*

Copy, with a copy of the letter under reply forwarded to all Departments of the Secretariat, for information and guidance with reference to Government Resolution, Political

and Services Department, No. 1868/46, dated the 5th January 1948.

By order of the Governor of Bombay,

Sd/-
For Chief Secretary to the Govt. of Bombay,
Political and Services Deptt.

Mam

* Typed separately.

15348

Id/-
18-3-48

Government Service.

Appointment of non-Muslim refugees from Pakistan to-

GOVERNMENT OF BOMBAY.
POLITICAL AND SERVICES DEPartment.
Circular No. 1868/46.
Bombay Castle, 22nd March 1948

CIRCULAR OF GOVERNMENT.

for further orders pl.see P&S.D. cir. No. 1868/46, dt, the 3-6-49 VI (8950/36/42351)

With reference to the orders issued in Government Resolution, Political and Services Department, No. 1868/46, dated the 5th January 1948, a question has arisen whether the non-Muslim refugees from Pakistan who may be taken up in service under this Government should be medically examined in accordance with the provisions of the relevant Bombay Civil Services Rules. Government is pleased to direct in this connection that those persons who were in service under the Governments in Pakistan and who had produced certificates of physical fitness for service under the respective Governments, should not be medically examined here if their appointment does not involve touring unless the appointing authority concerned has reason to believe that any particular person is suffering from some dangerous or infectious diesease. All persons who are eligible for this exemption should, however, be required to produce some satisfactory evidence to show that they were medically examined under their respective Governments and certified as fit for service.

In the case of other persons who were not in service under the Governments in Pakistan or who, though in such service, were not medically examined and did not produce certificates of physical fitness, the production of certificates of physical fitness according to the provisions of the relevant Bombay Civil Services Rules should be required. Similarly, persons who are appointed to service or post which involves ~~require~~- touring should be asked to produce certificates of physical fitness irrespective of whether they were in Service under the

Government in Pakistan and had produced certificates of physicalk fitness under their resoective Governments

By order of the Governor of Bombay

M.D.BHAT.
Chief Secretary to the Government ofBombay
Political and Services Department.

G.C.P.& S.D., No. 1868/46, dated the 22nd March 1948

To

The Private Secretary to the Governor.
The Secretary,Bombay Public Service Commission,
The Accountant General, Bombay.
The Prpthonotary and Senior Master High †Court,Bombay (By letter)
The Registrar, High Court/s Appellate Side, Bombay (by letter)
The †Surgeon General with the Government of Bombay
The Heads of Departments and Heads of office under the several Departments of the Secretariat.
All Departments of the Secretariat.

No. of 1948

Copy forwarded for information and guidance to

Government Service
Appointment of non-Muslim refugees from
Pakistan to-

GOVERNMENT OF BOMBAY
POLITICAL AND SERVICES DEPARTMENT.
Addendum No. 1868/46-
Bombay Castle, 22nd March 1948.

ADDENDUM.

The Government of Bombay is pleased to direct that the following amdndement should be made to Government Resolution, Political and Services Department, No. 1868 /46 dated the 5th January 1948 viz.

(1) Order (IX) should be renumbered as (X).
(2) The following should be inserted as order (IX), Viz.
" Until further orders cacancies occurring under this Government may be filled up to 20 per cent. by the appointment of refugees from Pakistan.

By order of the Govr. of Bombay

M.D. BHAT.
Chief Secretary to the Govt. of Bombay
Political and Services Deptt.

for further orders pl.see G.R.P.& S.D. 9530/34 dt. the 24-6-50 (No.2882/48) 53197

To

The Private Secretary to the Governor.
The Secretary, Bombay Public Service Commission.
The Accountant General, Bombay,
The Prothonotary and Senior Master, High Court, Bombay (by letter)
The Registrat, High Court, Appellate Side, Bombay (by letter)
The Chief Refugees Officer, Bombay,
The Director of Publicity (for issuing a Press Note)
All other Heads of Departments and Heads of Offices under the several Departments of the Secretariat
All Departments of the Secretariat,
The Regional Director of Resettlement and Employment Bombay (by letter)

No. of 1949
Copy forwarded for information and guidance to

Letter.

No. 7673/36-E(I) Public Works Department,
Bombay Castle, 1st April 1948

To

The Superintending Engineers of Circles.
The Electrical Commissioner with the Government of Bombay.
The Public Health Engineer to Government.
The Electrical Engineer to Government.
The Architect to Government.
The Director, Development Department Chawls.

Subject :- Medical examination of refugees.

In connection with appointments of refugees from Sind and other Pakistan areas in various capacities under the Bombay Public Works Department, the question was raised whether such refugees should be examined medicall again on their being appointed under this Department. After careful consideration, Government has decided that a fresh medical ~~consideration~~ Examination is not necessary in the case of such refugees ~~Public Works Department of~~ who were permanent Servants in the Public Works Department of the Government of Sind and other Pakistan Governments and who had undergone the medical examination of physical fitness and had already been declared fit for employment under those Governments. A fresh medical examination should, however, the insisted upon in the case of all other refugees when they are appointed under the Bombay Public Works Department.

By order of the Governor of Bombay,

D.A.Gadkary,
Deputy Secretary to the Government
of Bombay, Public Works Department.

D.A -Nil

Copy forwarded for information to-
The Political and Services Department,
the Health and Local Government Department,
the Agriculture and Rural Development Department
the Finance Department,
the Housing Commissioner, Bombay,
the Director of Agricultural Engineering,
the Milk Commissioner, Bombay,
the Accountant General, Bombay.
The Labour Deptt

Government Service

Appointment of- non Muslims refugees from Pakistan to

GOVERNMENT OF BOMBAY
Political and Services Deptt.
CIRCULAR MEMORANDUM N. 1868/46.
Bombay Castle, 24th May 1948.

CIRCULAR MEMORANDUM.

With reference to clause (vi) of Government Resolution Political and Services Department, No. 1868/46, dated the 5th January 1948, it has been decided that whenever any proposals are made by Heads of Departments or offices for granting higher starting pay to non-Muslims regugees who in temporary service under Governments in Pakistan or in the service of Municipalities and District Local Boards in that Dominion, the following principles should be followed in regulating the pay, viz:-

(i) those who have put in a continuous temporary services under Governments in Pakistan up to the 15th August 1948 or thereafter may begiven credit for their past service on the basis of one increment being given for every three completed years of service under any Government from Pakistan;

(ii) those who have put in a continuous service under the Municipalities or District Local Boards in Pakistan upto the15th August 1947 or thereafter may be given credit for their past service as follows, viz.,

Period of Service.	Increments.
(a) less than five years	1. ~~increment.~~ NIL
(b) 5 years and more but less than 7½ years.	1. increment.
(c) 7½ years and more but less than 10 years	2. increments.
(d) 10 years and more.	3. increments.

2. It is not intended that higher starting pay should be given to non-Muslim refugees who were in temporary Govennmen-t service or service under Municipalities and District Local Boards in Pakistan as a matter of course. But whenever proposals for granting higher starting pay are received

and the Department concerned is satisfied that there is a case for granting such pay, the proposals should be scrutinized in thelight of the principles mentioned above. These principles are not intended to be rigid but they should generally be followed .

By order of the Governor of Bombay,

M.D. BHAT.
Chief Secretary to the Government of Bombay,
Political and Services Department.

To

The Private Secretary to the Governor,

The Accountant General, Bombay,

All Department of the Secretariat.

E.B. (II) P.W.D.

Submitted for information

Id/-
4-6-48 Thro E.B. (I)

should not the local officers known. this?

Id/-
4-6-48

Resubmitted

2. In view of ths portion marked 'A' overleaf, the instructions in the circular use for the guidance of the Sectt Deptts. only No local officers (ever under of the Deptts) has accordingly been addressed .It does not therefore seen necy. to address.

Local officers in the matter.

Id/-
4-6-48

All right

5-6-48

LETTER.

FROM - RESTIS, BOMBAY

TO - THE SECRETARY,
BOMBAY PUBLIC SERVICE COMMISSION.

No. 1868/46-36984-D Bombay Castle, 24th September 1948.

Subject:- Non-Muslim refugees from Pakistan.

Recruitment of .... to Government services.

Reference Government Resolution, Political and Services Department, No. 1868/46, dated the 5th January 1948. In the case of certain posts recently advertised by the Commission one of the qualifications prescribed was that the candidates should have practised in the High Court of Bombay or courts under it for specified periods. The Non-Muslim refugees from Pakistan who desire to settle in this Province and who have been made eligible for service under this Government cannot be expected to possess this qualification. In their case, practice in High Courts (Chief Court in thecase of Sind) of therespective Provinces of Pakistan or courts under them should therefore, be substituted for practice in the High Court of Bombay or Courts under it.

Yours faithfully,

Sd/-
For Chief Secretary to the Government of Bombay,
Political and Services Department.

Copy forwarded for information to:-

The Director of Publicity,

The Home Department,

The Labour Department,

All other Departments of the Secretariat (except the Separate Department).

2. The Director of Publicity is requested to issue a suitable Press Note announcing the orders contained in foregoing letter.

Mam/24948

8980/36 54385

E.H.(I)

Id/- 14.10.48 Resubmitted for information 13-10-48 Record

for further order pl.see P.& S.D.addl. No. 1868/36, dt. 28-1-49 (8980/36/14236) and P.& S.D. cir. No. 1868/46, dt. the 3-6-49 (8980/36/42351)

pl. see G.C.M. P,and S.D. No. 1868/46 dt 27--5-50

(2103/48/48555)

Government Service. Applointment of non-Muslim regugees from Pakistan to-

for further orders pl.see Govt. cadt. O&S.D., No. 1868/46-53471 dt. the 29-1-51 (2103/48) - 10036

GOVERNMENT OF BOMBAY.
POLITICAL AND SERVIVES DEPTT.
Resolution No. 1868/46.
Bombay Castle, 1st October 1948.

For futher orders pl. see See G.C., P and S.D, No. 1868/46, dt.13th Jan. 49. p.5

Read Government Resolution, Political and Services Department, No. 1868/46, dated the 5th January 1948.

RESOLUTION- In modification of clauses (iv) and (v) of Government Resolution, Political and Services Department No. 1868/46, dated the 5th January 1948, the Government of Bombay is pleased to direct that the non-Muslim refugees from Pakistan who were in permanent services under Governments in that dominion and who are appointed to corresponding posts or services under Government should be permitted to count for seniority under this Government one year's service for every three completed years' service instead of their entire service rendered by them under Governments in Pakistan.

2. The following should be substituted for clause (iv) of Government Resolution, Political and Services Department, No. 1868 /46, dated the 5th January 1948 viz.,

"(iv) Persons who were employed under the Governments in Pakistan should generally be taken up in corresponding services under this Government.. In the case of persons so taken up, their seniority vis-a-vis others and their pay should be fixed as follows, viz.,

(a) if they have been original recruits to the Provinvial Services under Governments in Pakistan their pay will be regulated according to the pay scales of the posts to which they are appointed under this Government as if they had been in the service of this Government from the beginning; but as regards seniority,

they will be permitted to count one year's service for every three completed years' service rendered by them under Governments in Pakistan.

(b) if they were originally recruited to the Subordinate or other Services and after promoted to gazetted rank under Governments in Pakistan, they should be recruited under this Government to the Subordinate Servives and given seniority in that service on the basis of counting one year 's service forevery three completed years' service rendered by them under Governments in Pakistan. Their future promotion should be regulated according to this seniority vis-a-vis other persons in their cadre. As regards pay, it should be fixed as if they were appointed to the cadre from the date from the date from which they joined the corresponding cadre under Governments in Pakistan."

3. Government is pleased to direct that the seniority of those who were taken up in service prior to the issue of these orders should be refixed according to these orders.

By order of the Governor of Bombay,

M.D.BHAT.
Chief Secretary to the Government of Bombay,
Political and Services Department.

G.R. No. 1868/46, P.& S.D., dated the 1st October 1948

to.

The Private Secretary to the Governor,
The Secretary, Bombay Public Service Commission,
The Accountant General, Bombay(through Finance Deptt.).
*The Prothonotary and Senior Master,High Court, Bombay,
*The Registrar, High Court, Appellate Side, Bom bay,
The Director of Publicity (for issuing a Press Note).
All other Heads of Departments and Heads of Offices under the several Departments of the Secretariat.
All Departments of the Secretariat.

* By letter.

No. of 1948

Copy forwarded for information and guidance to

Government Service.
Appointment of non-Muslim refugees.
from Pakistan to-

GOVERNMENT OF BOMBAY
Political and Services Deptt.
Resolution No. 1868/46.
Bombay Castle, 11th October 1948.

for further orders pl.see P.& S.D. Cir. No. 1868/46, dt the 6.49(8980/36/42351)

Read Government Resolution, Political and Services Deptt. No. 1868/46, dated the 5th January 1948.

RESOLUTION- The Government of Bombay is pleased to direct that the orders contained in Government Resolution, Political and Services Department, No. 1868/46, dated the 5th January 1948. regarding the relaxation of domicile requirement for the purpose of admission to Government service should be made applicable to the non-Muslim refugees from the States which have acceded to Pakistan who desire to settle in this Province. Government is also pleased to direct that such of these refugees as were in continuous service under the Governments of these States up to the 15th August 1947 or thereafter should be eligible for the benifit of the concession in respect of age-limit mentioned in order (i) of Government Resolution, Political and Services Department. No. 1868/46, dated the 5th January 1948 and that for the purpose of their pay on appointment they should be governed by order (vi) of the Government Resolution.

2. The Heads of Departments and Heads of Offices under whom non-Muslim refugees from the States according to Pakistan are employed inpursuance of the foregoing orders should communicate the details regarding such persons (viz. their names, the States from which they hail, the posts to which they are appointed, the date of appointment and the nature of their appointments, viz., whether temporary or permanent) to the Political and Services Department through their respective administrative Departments for the purpose of issueing declarations of eligibility in their favour under section 262(2) of the Govt. of India Act, 1935.

By order of the Governor of Bombay,

M. D. BHAT.
Chief Secretary to the Government of Bombay

Political and Services Department.

G.R.No. 1868/46, P.& S.D. dated the 11th October 1948

To.

The Private Secretary to the Governor,
The Secretary to the Honourable the Premier,
The Secretary, Bombay Public Service Commission,
The Accountant General, Bombay,
The Prothonotary and Senior Master, High Court, Bombay (By letter)
The Registrar, High Court, Appellate Side, Bombay (by letter)
The Director of Publicity(for issuring a Press Note),
All other Heads of Departments and Heads of Offices under the several Departments of the Secretariat.
All Departments of the Secretariat,
The Regional Director of Resettlement and Employmant, Bombay (by letter)

No. of 1948.

Copy forwarded for information and guidance to

IMMEDIATE.

Government Services.
Appointment of non-Muslims refugees from Pakistanto-

GOVERNMENT OF BOMBAY
Political and Services Deptt.
Circular No. 1868/46.
Bombay Castle, 13th January 1949..

Please G.R.P.&.S.D.
No. 1686 /48dt 15-3-50
(2103/48/29384)

CIRCULAR OF GOVERNMENT.

The Government of Bombay is pleased todirect that pendi- ~~ture~~ ng further orde s, action should not be taken as directed in paragraph of Government Circular Political and Services Department, No. 1868 /46, dated the 1st October 1948, i.e. the seniority of such of the refugees as had been taken up in service before issue of theorders contained in that circular should not berefixed. It is also pleased to direct that the original seniority of persons, if any, whose seniority had already been refixed before thereceipt of these orders should be restored to them pending further orders .

By order of the Governor of Bombay,

M. D. BHAT.
Chief Secretary to the Government of Bombay,
Political and Services Department.

To.

The Private Secretary to the Governor,
The Secretary to the Honourable the Premier,
The Accountant General, Bombay,
The prothonotary and Senior Master, High Court, Bombay (by letter)
The ~~All~~ Registrar ,High Court, Appellate Side, Bombay (By letter)
The other Heads of Departments and Heads of offices under the several Departments.
All Departments of the Secretariat